

### REMARKS

Applicant appreciates the thorough review, and the Examiner's indication that claims 1-14 are allowable. The Examiner rejected claims 15-18 under the provisions of 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,012,528, issued to Van Winkle (hereinafter "the Van Winkle patent" or "Van Winkle"). Applicant respectfully requests reconsideration of the rejection because Van Winkle fails to disclose "a method for engaging a plug within a wellhead passage of a subsea wellhead assembly," and also fails to disclose "providing...a plug adapted to maintain pressure within a subsea wellhead assembly when a blow out preventer is absent." Reconsideration of the Examiner's rejection is respectfully requested.

Van Winkle teaches a method for replacing a sealing element or cartridge 70 from a blow out preventer (BOP) 18. *See* the Van Winkle patent (Col. 1: ll. 10-12, Col. 1: ll. 29-42, Col. 1: ln. 54 – Col. 2: ln. 51, Abstract). An umbilical or riser 12 extends from a surface platform 10 and connects to BOP 18 located at a subsea wellhead 20. *See id.* (Col. 3: ll. 39-51, Figure 1). A cartridge 70 and a running tool a running tool 140,180,200,250 are carried within a carrier 16 and protective 17 that are attached to the lower end of riser 12. *See id.* (Col. 3: ll. 39-51, Figure 1). Running tool 140,180,200,250 is controlled with a remote operated vehicle 14 to selectively remove a used cartridge 70 from BOP 18 or install a new cartridge 70 in BOP. *See id.* (Col. 1: ln. 45 – Col. 2: ln. 51, Figures 5a-13e). Cartridge 70 is a tubular member is pressed upon by rams 22 of BOP 18 in order to sealingly engage a tubular member, such as a pipe or coiled tubing, extending through BOP 18. *See id.* (Col. 3: ll. 56 – Col. 4: ln. 27, Col. 5: ln. 1 – Col. 6: ln. 3, Figures 5a-5d). As shown in Figures 5a-5e, cartridge 70 does not create a seal unless a tubular member is extending axially through cartridge 70, and unless BOP 18 is pressing radially inward upon cartridge 70. Cartridge 70 does not operate at all without BOP 18, as cartridge 70 is a sealing element within BOP 18.

Each and every claim limitation must be shown by Van Winkle in order to reject the claims under the provisions of 35 U.S.C. § 102(b) as being anticipated by the Van Winkle patent. *See* MPEP 706.02(j). Applicant respectfully submits that claims 15-18 are all in condition for allowance. Claim 15 is a method "for engaging a plug within a wellhead passage of a subsea wellhead assembly." Van Winkle neither discloses a plug that is used in conjunction with the Van Winkle wellhead 20, nor a method of removing such a plug. The Examiner relies upon the Van Winkle cartridge 70, but cartridge 70 is merely a sealing element that seals against the outer surface of a tubular member extending through the BOP 18. Tubular shaped cartridge 70 is not a plug. Accordingly, Van Winkle fails to disclose "a method for engaging a plug within a wellhead passage of a subsea wellhead assembly. Therefore, Applicant respectfully submits that Van Winkle does not anticipate claims 15-18, and requests that the Examiner remove this rejection.

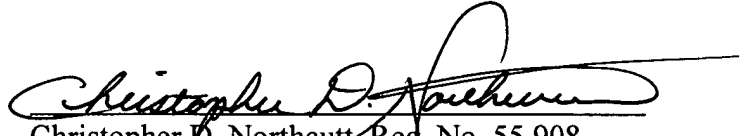
Furthermore, claim 15 includes the step of "providing...a plug adapted to maintain pressure within a subsea wellhead assembly when a blow out preventer is absent." As discussed herein above, the Van Winkle cartridge 70 is part of BOP 18 and cannot operate independently of BOP 18. Moreover, cartridge 70 is tubular in structure, and cannot maintain pressure within wellhead 20 when BOP 18 is absent. Accordingly, the Van Winkle patent fails to disclose each and every limitation included in claim 15. Therefore, Applicant respectfully requests the Examiner remove the rejection of claims 15-18 because all of the claim elements are not taught or suggested by the Van Winkle patent.

### CONCLUSION

Applicant respectfully submits that Claims 1-18 are all in condition for allowance. Reconsideration of the application and allowance of all claims are respectfully requested, and Applicant respectfully requests the issuance of a Notice of Allowance.

Respectfully submitted,

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